

## **EXHIBIT "A"**

FILED  
 DISTRICT COURT OF  
 THE FIRST CIRCUIT

2017 JUL -3 P 1:03

LEGAL DOCUMENTS

CLERK G. FAHEY

Reserved for Court Use

Civil No. **1RC17-1- 4422**

**IN THE DISTRICT COURT OF THE FIRST CIRCUIT  
 HONOLULU DIVISION  
 STATE OF HAWAII**

**Plaintiff**

North River Insurance Company, a New Jersey Corp. and  
 Lorine Y. Ogawa,

**Defendant**

William R. Mistele, and  
 Loren Cruzada

Filing Party/Attorney Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Fax Number or Email  
 Roy T. Ogawa 1821-0  
 Ogawa, Lau, Nakamura & Jew  
 707 Richards Street, Suite 600  
 Honolulu, HI 96813 Tel.: 533-3999 / Fax: 533-0144

Date of Injury/Damage: 08/11/2015

**COMPLAINT**

1. This Court has jurisdiction over this matter and venue is proper.
2. On or about the date of injury/damage stated above, defendant intentionally and/or negligently injured Plaintiff and/or damaged Plaintiff's property as follows: (state location of incident and briefly explain what happened)

H-1 West Bound near the Kapiolani overpass. Defendants rear ended and damaged Plaintiff's vehicle.

3. As a result of the incident, Defendant caused the following damages:

☐ Physical Injury (Do not state the dollar amount, but give a brief description of the injury):

☒ Property Damage in the amount of \$ 2957.20 (Describe the type of damage):  
 Payment for repair of damages to Ms. Ogawa's vehicle.

4. Defendant has refused to pay for Plaintiff's damages.

5. The Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 may apply to a defendant who is classified active duty as defined in the Act. Please check all that apply.

☒ To the best of my knowledge, the Defendant is not an active duty member of the US Military.

☐ The following Defendant is an active duty member of the US Military. Name: \_\_\_\_\_

☐ I am unable to determine whether the Defendant is an active duty member of the US Military. Please attach a separate sheet indicating what attempt was made to determine Defendant's military status.

6. Plaintiff asks for judgment against defendant for the damages proved. In addition, the court may award court costs, interest and reasonable attorney's fees as allowed by statute.

Date:

**JUL - 3 2017**

Signature of Filing Party/Attorney:

Print/Type Name: Roy T. Ogawa

*Roy T. Ogawa*



In accordance with the Americans with Disabilities Act and other applicable state and federal laws, if you require an accommodation for a disability when working with a court program, service, or activity, please contact the District Court Administration Office at PHONE NO. (808) 538-5121, FAX (808) 538-5233, or TTY (808) 539-5233 at least ten (10) working days before your proceeding, hearing, or appointment date. For all Civil related matters, please call (808) 538-5151 or visit the District Court Service Center at 1111 Alakea Street, Third (3<sup>rd</sup>) Floor.

I certify that this is a full, true, and correct  
 copy of the original on file in this office.

Clerk, District Court of the above Circuit, State of Hawaii'i

**IN THE DISTRICT COURT OF THE FIRST CIRCUIT  
HONOLULU DIVISION  
STATE OF HAWAII**

Plaintiff(s)

North River Insurance Company, a New Jersey Corp. and  
Lorine Y. Ogawa,

Reserved for Court Use

Civil No.

Defendant(s)

William R. Mistele, and Loren Cruzada,

Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney  
Number, Firm Name (if applicable), Address, Telephone and  
Facsimile Numbers)

Roy T. Ogawa 1821-0  
Ogawa, Lau, Nakamura & Jew  
707 Richards Street, Suite 600  
Honolulu, HI 96813  
Tel.: 533-3999 / Fax: 533-0144

**SUMMONS**

**THE STATE OF HAWAII:**

**TO:** The Director of Public Safety of the State of Hawai'i, his/her deputy or any police officer of other person authorized by the laws of the State of Hawai'i:

You are commended to summon the Defendant(s) to appear before the District Judge of this Court in his/her Courtroom, to appear at the Court designated by the checked box on the reverse side.

This Summons shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the public, unless a Judge of the above-entitled Court permits, in writing on this Summons, personal delivery during those hours.

**TO THE DEFENDANT(S):**

You are required to appear before the District Judge on this Court, in his/her Courtroom, on the day and at the time designated by the checked box on page 2. If the Defendant(s) is a corporation, Hawai'i law requires it to be represented by an attorney licensed to practice in the State of Hawai'i.

**IF YOU OR YOUR ATTORNEY FAIL TO ATTEND THE COURT HEARING AT THE TIME AND PLACE DESIGNATED, DEFAULT AND DEFAULT JUDGMENT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

**NOTICE TO ALL PARTIES (Honolulu Division only):** If this case involves a residential lease and if the Defendant(s) disagrees with the statements in the Complaint, the Court may require the parties to submit their dispute to mediation at the Pre-Trial conference that will be scheduled on the Monday, not a holiday, following the court date specified above. If the Monday following your court date is a holiday, the Pre-Trial conference will occur on the next business day. If the parties are not able to resolve the dispute within 20 minutes of mediation, the Court will set a trial date.

Date:

**JUL 03 2017**

Clerk of the above-entitled Court

G. FAHEY

**SEAL**

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☒ **Honolulu Division, 1111 Alakea Street, 10<sup>th</sup> floor Courtroom 10A or 10B, Honolulu, Hawai'i**

☐ at 8:30 a.m. on the fifth day following date of service, excluding Saturdays, Sundays, and legal holidays for summary possession.

or

☒ at 1:30 p.m. on the second Monday following date of service, and should that Monday be a legal holiday then upon the next business day.

☐ **'Ewa Division, 870 Fourth Street, Pearl City, Hawai'i**

At 9:00 a.m. on the second Thursday following date of service, and should that Thursday be a legal holiday then upon the next Thursday.

☐ **Ko'olaupoko OR Ko'olauloa Division, 45-939 Po'okela Street, Kāne'ohe, Hawai'i**

At 9:00 a.m. on the second Friday following date of service, and should that Friday be a legal holiday then upon the next Friday.

☐ **Wahiawā OR Waialua Division, 1034 Kilani Avenue, Wahiawā, Hawai'i**

At 9:00 a.m. on the second Wednesday following date of service, and should that Wednesday be a legal holiday then upon the next Wednesday.

☐ **Wai'anae Division, 4675 Kapolei Parkway, Kapolei, Hawai'i**

At 9:00 a.m. on the second Tuesday following date of service, and should that Tuesday be a legal holiday then upon the next Tuesday.

**Mailing address for the Courts: 1111 Alakea Street, Civil Division, Third floor, Honolulu, Hawai'i 96813**



In accordance with the Americans with Disabilities Act and other applicable state and federal laws, if you require an accommodation for a disability when working with a court program, service, or activity, please contact the District Court Administration Office at PHONE NO. 538-5121, FAX 538-5233, or TTY 539-4853 at least ten (10) working days before your proceeding, hearing, or appointment date.

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